
TITLE: REPRESENTATIONS BY COLNE VALLEY MOTORWAY SERVICE AREA LIMITED ON THE IVERS NEIGHBOURHOOD PLAN 2020 – 2036 PRE-SUBMISSION DRAFT FOR INITIAL PARISH CONSULTATION (FEBRUARY 2021)

Date: 16 March 2021

Introduction and Context

1. These representations have been prepared by AXIS, on behalf of Colne Valley Motorway Service Area Limited ('CVMSA'), a wholly owned subsidiary of Welcome Break.
2. CVMSA submitted an outline planning application to Buckinghamshire Council, on 21 December 2020 (ref: PL/20/4332/OA), for the proposed development of the Colne Valley Services ('CVS'), a Motorway Service Area ('MSA'), and associated works on land between junctions 15 and 16 of the M25, near Iver Heath, Buckinghamshire. This application falls within the Ivers Neighbourhood Plan area and is currently awaiting determination.
3. In accordance with paragraph 2 of the National Planning Policy Framework (NPPF),¹ when the Ivers Neighbourhood Plan is brought into force, it will become part of the statutory Development Plan. As such, CVMSA welcomes the opportunity to provide its comments on the draft Plan.

Development Plan Context

4. The adopted South Bucks Local Plan 1999 and the South Bucks Core Strategy 2011 pre-date and do not reflect the policies of the NPPF, and in particular, relevant to this representation, paragraph 104(e) [and footnote 42] with regard to the provision of roadside services. Similarly, they do not reflect national policy on the provision of MSAs as set out in Department for Transport Circular 02/2013.²

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/237412/dft-circular-strategic-road.pdf

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5. The need for a new MSA, specifically between junctions 15 and 16 of the M25, has been evident for years and was raised by Highways England in their representation to the 2016 Initial Regulation 18 consultation on the 'Vision and Objectives' for the emerging Chiltern and South Bucks Local Plan ('CSBLP'). The consultation identified that one of the 'main issues' the CSBLP should seek to address is: *"Highways England view that a new Service Area should be developed in the Green Belt off the M25 between the M40 [J16 M25] and M4 [J15 M25]."*³
 6. Subsequent to the above consultation, the CSBLP progressed through a 'Call for Sites' exercise in late 2018 / early 2019, with consultation on the Publication Version occurring between June and August 2019.
 7. AXIS submitted formal representations on the CSBLP promoting the allocation of the current CVS site as an MSA on:
 - 14 January 2019 in response to the Call for Sites exercise; and
 - 23 August 2019 in response to the Publication Version of the CSBLP.
 8. The representations made it clear that should CSBLP not make a specific allocation for the CVS MSA, then it should, as a minimum, provide an appropriate criteria based policy relating to MSAs.
 9. Due to the manner in which the CSBLP was progressed, the Council did not publish responses to the Publication Version. However, as a matter of fact the now withdrawn CSBLP did not make any provision for MSA development. Accordingly, we welcome the identification of major development schemes within the draft Neighbourhood Plan (paragraph 3.18 and Plan D) including the CVS.

Representations on the Draft Neighbourhood Plan

10. CVMSA is pleased to respond to the informal consultation on the Plan and have set out our comments subsequently. CVMSA would welcome the opportunity to work with the Parish Council to ensure that if the CVS were to be delivered the

³ *Emerging Chiltern and South Bucks Local Plan to 2036, Issues and Options Consultation*

opportunities to improve local biodiversity, green infrastructure and the local economy, are maximised.

11. We note that the Plan is primarily focused on the protection and enhancement of the Parish's environment, heritage and green infrastructure, rather than promoting or planning for future development. Accordingly, it is suggested that Section 5 of the Plan (Vision, Objectives and Land Use Policies) recognises that new development is likely to come forward within the Neighbourhood Plan area, in accordance with both the future Bucks Council Local Plan and national policy, noting that MSAs are frequently dealt with as national level development.
12. With regard to Policy IV1 'Gaps between Settlements', we suggest that the policy title is amended to better reflect the policy content. In short, the policy has two distinct strands and thus we suggest that it is titled: "Gaps Between Settlements and Corridors of Significance".
13. With regard to Policy IV7 'Air Quality', we make the following comments:
 - Point A: it is suggested that the text should be amended to read: "*should contribute to and / or be consistent with, the actions and objectives set out in ...*". The reason for the suggested change is that it may not be appropriate that all individual developments to specifically contribute to the AQAP, but nevertheless all should be cognisant of it.
 - Point B: it will not be possible for all new development proposals to be 'Air Quality Neutral'. Improvements in local air quality will be primarily delivered via legislative change across society, e.g. the Government's ban on all new petrol and diesel engine cars by 2030, rather than by new built developments. Accordingly, we suggest that criterion B of the policy would be better worded along the following lines:

"Planning applications for the following types of development proposals will need to be supported by an Air Quality Assessment:

 - *Major Development:*
 - *Development likely to material effects on air quality; and*
 - *Development that requires a submission of a Transport Assessment.*

The AQA should assess the effects of the development through both the construction and operational phases, including during longer term operation. Proposals should seek to avoid causing or contributing to worsening air

quality in the Iver Parish Air Quality Management Area and, where necessary, propose mitigation measures. Development proposals that result in an increase in air pollution will only be justified in exceptional circumstances”.

- Point C: this criterion is unclear as to what is required. We believe the reference to major development proposals refers to the building of new dwellings as referenced in the second line of criterion C. Otherwise the policy wording does not appear to make sense. We make the same comment on criterion D. In short, it is suggested that in both cases the term: *“new major residential development proposals”* is used.
- Point G whilst CVMSA strongly supports electric vehicle (EV) charging and proposes extensive EV infrastructure at CVS, the final sentence appears to suggest that major non-residential development with off-street parking is required to make 100% EV charging space provision. Such a level of provision will never be required as EV vehicle users will all have home charging. Further, it would not be possible to make such provision from an electricity supply standpoint. As such we suggest that criterion G of the policy would be better worded along the following lines:
“Development proposals which make provision for electric vehicle charging points will be supported. Major residential development will be required to make provision for an electric vehicle charging point for every new home, unless the development is proposing fewer off-street parking spaces than required under the parking standards, in which case each off-street parking space provided will have an electric charging point. Major non-residential development will be required to make appropriate provision for electric vehicle charging points proportionate to the number of off-street parking spaces required as part of the development”.

14. With regard to Policy IV15 ‘Green Infrastructure Network’, we make the following comments:

- In overall terms, this is a development management policy. Accordingly, in order to be consistent with the policies of the NPPF (for example NPPF paragraph 196 in relation to heritage assets), it should have a costs / benefits component. In short, development should be permissible where it does not specifically deliver the policy objectives if the wider public benefits of the scheme outweigh the need to do so. Thus it is suggested that the last

sentence of Part B is amended to read as follows: *“Development that fails to demonstrate the above will be refused unless the context of the proposed development means that the above factors are not relevant; or the wider public benefits of the proposal outweigh the need to meet each policy objective”*.

- The first bullet point of Part A seeks to ‘maintain and enhance’ the landscape and historic environment of the park. To ensure that the policy wording is consistent with the NPPF, it is suggested that these topics are addressed through separate bullet points, as follows:
 - i. In terms of landscape, a proposal should: “protect and enhance [valued] landscapes” in line with paragraph 170(a) of the NPPF.
 - ii. In terms of historic environment proposals, a proposal should: “sustain and enhance the significance of an asset and, where relevant, new development should make a positive contribution to local character and distinctiveness” in line with paragraph 185 of the NPPF.

15. It is suggested that the Green Infrastructure Network Plan contained within the Policies Map sub-section of the Plan mirrors the Mid-Colne Green Infrastructure Plan provided on page 45 of the Colne & Crane Green Infrastructure Strategy.⁴ This would help to address the following matters:

- The Green Infrastructure Network Plan and Legend contained within the Plan illustrate, amongst others, ‘opportunity and new landmarks / destinations’. However, details of what these annotations mean are not provided in the Plan and only become clear upon reading the Colne & Crane Green Infrastructure Strategy. As such, it is suggested that a table (similar to that on page 46 of the Strategy), which includes details of the relevant annotations is provided within the Plan.
- Whilst it may be a printing error, the green and blue hatching are missing from the Legend on the Plan. This makes the Plan difficult to interpret and it is suggested that the Legend is double checked before publication.

16. With regard to Appendix C Schedule of Local Heritage Assets, it is suggested that a grid reference is added to the table to ensure clarity if the local heritage assets are not to be identified on the Policies Map.

⁴ <https://www.colnevalleypark.org.uk/green-infrastructure-strategy-downloads/>